



COMMUNITY ORIENTED POLICING SERVICES  
U.S. DEPARTMENT OF JUSTICE

## *Homeland Security Overtime Program*

# **Homeland Security Overtime Program (HSOP) Grant Owner's Manual**

**A step-by-step guide to assist law enforcement agencies in carrying  
out and reporting on the HSOP grant program**





## **COPS HSOP** Grant Owner's Manual

The following manual was created to assist COPS Homeland Security Overtime Program grantees with administrative and financial matters associated with the grant.

For more information on your HSOP grant, you may contact your COPS Grant Program Specialist. If you do not know the name or telephone number of your Grant Program Specialist, please contact the U.S. Department of Justice Response Center at 800.421.6770.

U.S. Department of Justice  
Office of Community Oriented Policing Services  
1100 Vermont Avenue, N.W.  
Washington, D.C. 20530  
(For overnight delivery, please use 20005 as the zip code.)

COPS Online: [www.cops.usdoj.gov](http://www.cops.usdoj.gov)

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## Getting Started

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Congratulations on receiving a grant from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS). Your COPS Homeland Security Overtime Program (HSOP) grant provides funding directly to local, state, and tribal jurisdictions for the purpose of overtime funding to support community policing and homeland security efforts.

The COPS HSOP Grant Owner's Manual will assist you with the administrative and financial matters associated with your grant. It was developed by the COPS Office in conjunction with program and financial staff to ensure that all COPS HSOP grantees are able to clearly understand and meet the requirements of their grant. Please do not hesitate to call the COPS Office through the U.S. Department of Justice Response Center at 800.421.6770 if you need assistance with the implementation of your grant.

Thank you for providing us with the opportunity to work in partnership with your community.





## **I. Grant Acceptance, Terms, and Conditions**

To officially begin your grant, you will need to review the Award Document and grant conditions, sign the Award Document or Modified Award Document, and return the original to:

U.S. Department of Justice  
Office of Community Oriented Policing Services (COPS)  
Homeland Security Overtime Program (HSOP) Control Desk  
1100 Vermont Avenue, N.W.  
7<sup>th</sup> Floor  
Washington, D.C. 20530  
(For overnight delivery, please use 20005 as the zip code.)

Due to continued mail delays in the Washington, D.C. area, we strongly encourage you to submit your award document by an express or overnight delivery service. If you choose to use an express delivery service, please use zip code 20005 for your submission.

### **The Award Document**

The Award Document is a one-page, double-sided document indicating your official grant funding amount, the award number, the award date, and the grant time period.

Your grant award number is in the following format: 2003-OMWX-0000 or 2003-OLWX-0000 for grants awarded in FY 2003, 2004-OMWX-0000 or 2004-OLWX-0000 for grants awarded in FY 2004, etc. If you have any questions regarding your grant, please refer to your grant award number or your agency's ORI number when calling for assistance.

The award date is the date from which the COPS Office will reimburse your agency for the federal share of allowable costs. The grant time period is one year from the award date.

The Award Document is preprinted with your law enforcement and government officials' names and addresses. If this information is incorrect, please correct it on the enclosed Change of Information (COI) page and mail it to your Grant Program Specialist.



### What is a Modified Award?

In a small number of cases, a Modified Award Document may be included in the award mailing. The final grant amount on this document may differ from the estimated amount on your original Award Document, because the final grant amount is based upon your approved budget. If you receive a Modified Award, take careful note of the change between your estimated award amount on the original document and the actual amount on the Modified Award Document. If you have any questions about the modification, refer to your Financial Clearance Memorandum. If you still have questions, please contact your COPS Finance Staff Accountant.

After you review and understand the Award Document, please sign and mail the original with your payment selection sheet to the COPS Office within 90 days. The COPS Office strongly recommends that you make a copy of this award (front and back) for your own reference.

### **Grant Terms and Conditions**

The grant conditions are the terms listed on the back of your Award Document. By accepting this grant, you are entering into an agreement with the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS). As part of that agreement, you agree to those grant conditions (and possibly additional conditions specific to your agency). The section that follows describes in detail the award conditions, their rationale and implications. It will also address many commonly asked questions.

In some cases, your agency may receive a special grant condition. You will be unable to access your grant funds until you have satisfied this condition. After reviewing your Award Document and other grant documents, it should be clear to you which grant conditions, if any, would prevent drawdowns from being made until those conditions have been satisfied. If you have any questions about these conditions, please contact your Grant Program Specialist.

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## Reasons for Grant Conditions

The requirements of your COPS HSOP grant are established within:

- The Public Safety Partnership and Community Policing Act of 1994, under which the COPS Office was established; and
- Applicable rules, regulations and policies issued by the U.S. Department of Justice (DOJ), Office of Management and Budget (OMB), the General Accounting Office (GAO), and the United States Treasury.

A list of source documents for this booklet is provided in Appendix

A. You may request copies of any source reference document from:

Office of Administration, Publication Unit  
New Executive Office Building, Room G 236  
Washington, D.C. 20503

## Review of Grant Conditions

### 1. Grant Owner's Manual

*The grantee agrees to abide by the terms, conditions, and regulations as found in the COPS HSOP Grant Owner's Manual and the Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, 28 C.F.R. Part 66 (or 28 C.F.R. Part 70 as applicable for institutions of higher education, hospitals and other non-profit organizations).*

#### Why This Condition:

This manual has been tailored to inform you about the policies, procedures and regulations that apply to your COPS HSOP grant. Your agency will be responsible for complying with the rules contained in this manual. More detailed guidance can be requested through your Grant Program Specialist.

#### What You Should Do:

Please read the entire COPS HSOP Grant Owner's Manual carefully prior to signing the grant Award Document. If you have any questions, please contact your Grant Program Specialist. When accepting your award, you should ensure that the proper reporting and financial systems are in place to satisfy grant requirements.



## 2. Allowable Costs

*The funding under this project is for the payment of the overtime hourly rate and fringe benefits expended for non-supervisory sworn personnel during homeland security training sessions and other law enforcement activities that are designed to assist in the prevention of and protection against acts of terrorism and other violent and drug-related crime. The project objectives are approved by the COPS Office and reflected in the Financial Clearance Memorandum. The positions listed in your application and approved by the COPS Office are assumed to be non-supervisory sworn personnel by nature of their rank and not defined by their current task. As noted in the grant application, the additional overtime hours funded under HSOP are intended to reimburse non-supervisory sworn officer ranks. Therefore, grantees should not reimburse for overtime expenses for personnel that hold a rank of a supervisory nature even if the person is not currently supervising a staff or if the grantee agrees to pay the difference in hourly rates.*

### Why This Condition:

As the program materials state, COPS HSOP is a program that provides additional overtime funding to non-supervisory sworn personnel. These funds may not be applied to supervisory, civilian or reserve personnel. Departments that have temporarily lost sworn personnel due to military reserve duty may use HSOP funds to deploy other officers on an overtime basis to engage in activities that prepare against acts of terrorism and protect citizens. As discussed in greater detail in Condition #4, all overtime hours funded by the COPS HSOP grant must be additional hours not otherwise funded in your agency's budget with state or local funds.

### What You Should Do:

To be eligible for payment under this grant, the expenditure of overtime funds must be made on or after the grant award start date, be over and above your department's locally-funded budget for overtime, and fund only non-supervisory sworn personnel. Overtime expenditures must also reflect the costs that were approved by a COPS Staff Accountant as shown in the Financial Clearance Memorandum. Your Financial Clearance Memorandum will list an average overtime rate per hour, and the number of additional overtime hours requested. Due to the variance in rates that may be paid out to non-supervisory sworn personnel after the award start date, you will not be required to expend overtime at the exact average overtime rate per hour and at the level of hours initially requested.



However, your department is expected to demonstrate that the goals and objectives of the program were met, and all overtime used under the grant was paid for non-supervisory sworn personnel consistent with your local pay rates, and within the approved fringe benefit categories. In addition, your department must be able to demonstrate that the COPS HSOP funds are used to supplement your locally-funded overtime budget (see Condition #4). Section V of this manual outlines the types of records you must keep to document that you have followed this grant condition.

### 3. Local Match

*Grantees are required to contribute a local match of at least 25 percent towards the total cost of the approved grant project. The local match must be a cash match.*

#### Why This Condition:

The Homeland Security Overtime Program grant is a matching grant. This type of grant requires grantees to contribute a local cash match towards the total cost of the approved project.

#### What You Should Do:

The COPS Finance Division reviewed your budget and has approved allowable costs, which are documented in the Financial Clearance Memorandum accompanying your Award Document. You should carefully note the amount of federal share awarded and the amount of local share that must be contributed in a cash match by your agency. For additional information and possible sources of funding for the local match, see Section III, "Meeting the Local Match," in this manual.

### 4. Supplementing, Not Supplanting

*COPS HSOP grant funds must be used for overtime activities above and beyond what the department's budget has previously obligated or funded, or would obligate or fund for overtime activities with state or local funds. Funds awarded under the program may not replace existing state or local funds that have been budgeted or planned to be budgeted for officers to engage in overtime activities.*



#### Why This Condition:

The Public Safety Partnership and Community Policing Act of 1994 specifically states that federal funds awarded under the COPS programs may not be used to supplant, or replace, existing local, state, or Bureau of Indian Affairs funds that would, in the absence of the grant, be made available from local, state, or BIA sources.

#### What You Should Do:

To meet this grant condition, you must ensure that overtime funds expended with this COPS award are for overtime incurred on or after the award date, and are in addition to state or local overtime funds that were obligated or funded, or would be obligated or funded in your department's budget. HSOP funds cannot be used for overtime incurred prior to the award start date. State or local funds currently allocated for overtime may not be reallocated to other purposes as a result of receiving an HSOP grant.

Grantees may expend COPS HSOP funds and their locally-budgeted overtime simultaneously if the COPS HSOP funds are not supplanting (replacing) local funds that would otherwise be spent on a specific project or purpose, but are supplementing (adding to) the local expenditures (and the grantee will otherwise fully expend its local overtime funds during the fiscal year). To ensure compliance with the nonsupplanting requirement, grantees may choose to expend all local overtime funds first, and then begin spending COPS HSOP funds when the local overtime budget is depleted. In either circumstance, whether HSOP funds are spent simultaneously with or after locally-budgeted overtime funds, grantees must be able to demonstrate that the COPS HSOP funds were used to supplement the local overtime budget.

### 5. Community Policing

*The community policing activities to be executed by your law enforcement department were identified in your COPS HSOP grant application and approved by the COPS Office before the grant was awarded, and are intended to support your agency's homeland security efforts.*



#### Why This Condition:

Community policing is a policing philosophy that promotes and supports organizational strategies to address the causes and reduce the fear of crime and social disorder. This is achieved through the use of problem-solving approaches, community-police partnerships, and homeland security efforts. It enhances police professionalism by providing officers with the skills, technology, and motivation to act in innovative ways to solve community crime-related problems and towards the preparedness and prevention of acts of terrorism.

#### What You Should Do:

The community policing activities that will be executed by local law enforcement agencies are identified in the grant applications and approved by the COPS Office before grants are awarded. Subsequent changes to these activities must be included in programmatic progress reports. Significant changes to the community policing activities identified in a grant application must receive prior written approval from the COPS Office. Changes are "significant" if they deviate from the range of possible activities identified and approved in your initial grant application.

### 6. Assurances and Certifications

*The grantee acknowledges its agreement to comply with the Assurances, Certifications, and Disclosure of Lobbying Activities submitted with the COPS HSOP application.*

#### Why This Condition:

Although the U.S. Department of Justice has made every effort to simplify the process for applying for and receiving grants, provisions of federal law require us to seek your assurances and certifications regarding certain matters. Most of these assurances and certifications apply to all grants provided by the federal government.

#### What You Should Do:

When you submitted your original application, you included a signed list of assurances and certifications. This condition merely restates your agreement to comply with these assurances and certifications. Copies of the assurances and certifications are contained in Appendix B of this manual. If you have any questions about them, please contact your Grant Program Specialist.



## 7. Extensions of Time

*In some instances, an extension of time may be granted to use remaining funds and complete implementation of the COPS HSOP grant. Extension requests will be considered on a case by case basis, but will only be granted for extenuating circumstances that prevented your agency from completing the grant project within the original 12-month grant period. Requests for time extensions should be submitted in writing to your Grant Program Specialist approximately 90 days before the end of your grant period.*

### Why This Condition:

Under federal regulations, grant extensions that request additional time require prior approval. Without an approved extension, your funding will automatically stop at the end of the original grant period.

### What You Should Do:

The COPS Office asks that you defer any request for an extension until enough time has elapsed that you can accurately determine when you expect all grant conditions to be met. This includes the drawdown and expenditure of all existing grant funds. When the COPS Office receives and approves your extension request, we will ensure that you have continued access to your grant monies. PLEASE NOTE: Extensions under the HSOP program will be considered on a case by case basis and will not be granted to agencies that fail to demonstrate progress in implementing the HSOP project.

## 8. Equal Employment Opportunity Plan (EEOP)

*Recipient agencies that meet certain criteria are required to maintain and submit an acceptable Equal Employment Opportunity Plan (EEOP) for review by the Office of Civil Rights, Office of Justice Programs. If you need help in preparing an EEOP, please consult the Civil Rights Seven-Step Guide to the Design and Development of an Equal Employment Opportunity Plan included in your grant award package.*

### Why This Condition:

The purpose of an Equal Employment Opportunity Plan (EEOP) is to ensure full and equal participation of men and women regardless of race or national origin in the work force of the recipient agency. EEOPs do not impose quotas or hiring requirements. The U.S. Department of Justice (DOJ) regulations regarding the requirements for an EEOP for federal grant recipients and the required contents of the document are fully explained in 28 C.F.R. 42.301 et seq.



### What You Should Do:

U.S. DOJ regulations require you to prepare and maintain an EEOP if your organization:

- (i) Has 50 or more employees; and
  - (ii) Received a total of \$25,000 or more in grants or subgrants; and
  - (iii) Has three percent or more minorities in its service population.
- Even if there is less than three percent of minorities in the service population, the DOJ regulations require that the EEOP be written to focus on women.

If your agency meets the above criteria and received \$500,000 or more (or a total of \$1 million in grant funds during an 18-month period), you are required to submit the EEOP within 60 days of the grant award start date to:

Office of Civil Rights  
Office of Justice Programs  
810 7<sup>th</sup> Street, N.W.  
Washington, D.C. 20531

If your agency meets the above criteria but your grant is for less than \$500,000 and you have received less than \$1 million in grant funds during an 18-month period, you must complete and return the one-page EEOP Certification form within 60 days of your grant award to advise the Office of Civil Rights whether you have an EEOP in effect or whether you are exempt from this requirement. A blank copy of the EEOP Certification form can be found in the *Civil Rights Seven-Step Guide to the Design and Development of an Equal Employment Opportunity Plan*.

## 9. Reports

*To assist the COPS Office in the monitoring of your HSOP award, your agency will be responsible for submitting quarterly Financial Status Reports and a final Financial Status Report. In addition, your agency may be responsible for submitting any periodic or final programmatic progress reports that may be developed by the COPS Office during the course of your grant. Your Grant Program Specialist and Staff Accountant can assist you with these reports as necessary.*



#### Why This Condition:

The Public Safety Partnership and Community Policing Act of 1994 and other federal regulations and policies require that financial assistance provided by the federal government be monitored carefully to ensure the proper use of federal funds. In addition, the COPS Office seeks to document, on a continuing basis, the progress of our programs and our grantees.

#### What You Should Do:

To meet the reporting condition, quarterly Financial Status Reports and a final Financial Status Report must be completed during the course of your COPS HSOP grant. In addition, the COPS Office may also develop and require the submission of periodic or final programmatic progress reports to measure the implementation of your agency's HSOP award. These reports are discussed at length in Section VI of this manual.

### **10. Contracts With Other Jurisdictions**

*Overtime funded under this award may only be used to exclusively benefit your department and the population that it serves.*

#### Why This Condition:

HSOP overtime funds must be used to benefit the grantee's population exclusively, even if the grantee contracts for its law enforcement services from a neighboring law enforcement agency.

#### What You Should Do:

Occasionally, jurisdictions without their own law enforcement department will contract for law enforcement services from a neighboring law enforcement agency. If your jurisdiction contracts for law enforcement services in this manner, your HSOP grant must be used to pay that law enforcement agency for additional non-supervisory sworn officer overtime hours that exclusively benefit your jurisdiction and the population that it serves. Your jurisdiction will remain the official COPS grantee and must ensure that the use of overtime funds complies with the terms and conditions of the HSOP grant.





## 11. Evaluations

*The COPS Office may conduct or sponsor national evaluations of the community policing activities of its grantees and other COPS-funded initiatives. The grantee agrees to cooperate with the evaluators.*

### Why This Condition:

The Public Safety Partnership and Community Policing Act of 1994 states that evaluations of the program may be carried out or commissioned by the Attorney General for the furtherance of the purposes of the Act. The COPS Office plans to conduct evaluations to determine what programs are working, how programs may be improved, and why certain programs are more successful than others.

Specifically, the COPS Office may assess the way you implement your community policing programs. In some jurisdictions, COPS staff may study the effectiveness of funded programs, projects, and activities. Evaluators may collect information about the programs' effect on crime, victims of crime, and the quality of life in communities. In addition, COPS staff may ask questions about how residents respond to community policing and how police think that community policing techniques have impacted their work. This information will be useful to other communities and police agencies across the country.

### What You Should Do:

When evaluations are undertaken, you may be contacted in writing with specific requests for information. In general, evaluators may need to speak with individuals in your department, observe activities of your department, and obtain written reports about and from your department. You will be asked to facilitate any site visits and information-gathering activities. In addition, you will be asked to provide accurate and timely information about your grant activities.

## 12. Grant Monitoring Activities

*The COPS Office performs various functions to ensure compliance with grant requirements, assess the implementation of community policing, and provide technical assistance to grantees. These functions, and others, may require the production of grant-related documentation and other materials. The grantee agrees to cooperate with any such requests for information.*



#### Why This Condition:

The Public Safety Partnership and Community Policing Act of 1994 states that each program funded by the COPS Office shall contain a monitoring component and that the COPS Office shall have access to pertinent document, papers or records of a grant recipient. The COPS Office monitors closely how grantees are adhering to COPS grant requirements to ensure the appropriate use of federal funds.

#### What You Should Do:

Your agency may be required to accommodate efforts by the COPS Office or other Department of Justice components to examine how your agency is using HSOP funds, both programmatically and financially. The most common monitoring methods are:

1. Site Visits: The agency will be notified in writing in advance of any on-site review of your COPS grants. This review is generally performed over a one or two day period and also provides an opportunity for agency representatives to seek assistance on any grant implementation or performance issues. A report is written following the visit and the agency is notified in writing of the results and of any compliance issues requiring remedial action.
2. Office-Based Grant Reviews: Certain grants are selected for a review conducted at the COPS Office. The agency is contacted at the start of this review and COPS staff attempt to correct any grant issues or deficiencies through telephone, fax, or written correspondence with the agency.
3. Allegations of Noncompliance: The COPS Office responds to allegations of noncompliance from citizens, labor associations, media, and other sources. Written complaints or allegations may be submitted to the COPS Office Grant Monitoring Division, which reviews the allegations to determine compliance with grant conditions or federal regulations.

Grantees are responsible for remedying any grant noncompliance that is identified through these or other monitoring or auditing activities. Remedies for noncompliance may include, but are not limited to, repaying misused grant funds, voluntary withdrawal from or involuntary termination of remaining grant funds, suspensions, and bars from receiving future COPS grants. To avoid findings of noncompliance, grantees are strongly encouraged to contact the COPS Office at any time during the life of a COPS grant with questions concerning grant requirements and also to produce all relevant documentation that may demonstrate grant compliance during these monitoring activities.



The Monitoring Division can be reached by calling 800.421.6770 or 202.514.9202.

## How to Accept the Award

After you have reviewed the conditions of the award and your agency agrees with those conditions, you are ready to accept the award. At the bottom of the Award Document there are two lines for signature. The Director of the COPS Office has signed the document indicating approval of your grant, obligation of federal funds to your organization, and our commitment to the award. To officially begin the grant and to be able to draw down your funds, your authorized officials (the law enforcement and government executive) must sign the Award Document and return the original document to:

U.S. Department of Justice  
Office of Community Oriented Policing Services (COPS)  
Homeland Security Overtime Program (HSOP) Control Desk  
1100 Vermont Avenue, N.W.  
7<sup>th</sup> Floor  
Washington, D.C. 20530  
(For overnight delivery, please use 20005 as the zip code.)

Faxed copies cannot be accepted.

Who should sign the award for my agency?

The "authorized officials" are the individuals in the law enforcement and governmental organizations accepting this grant who have final responsibility for all programmatic and financial decisions of those organizations. In some jurisdictions, police chiefs or sheriffs have the authority to accept grant awards. In others, the government representative, mayor or county executive may have this authority. However, COPS grants require that both the law enforcement and government officials with such authority sign the Award Document. Before signing the grant, you should determine which individuals in your jurisdiction have the legal authority to accept the award. If you have any questions as to who should sign the award, please contact your city or county's legal advisor.

When do the grant materials need to be returned?

Please return the signed Award Document within 90 days of receipt. No funds may be released until the COPS Office has received your signed Award Document and any other relevant grant conditions particular to your agency have been satisfied. If you require an extension for accepting the award beyond the 90-day time period for any reason, please submit a written request to your Grant Program Specialist.



What are the specific rules regarding grant violations?

The COPS Office has the right to take enforcement action if your agency is:

- Not substantially complying with the requirements of the Public Safety Partnership and Community Policing Act, COPS guidelines, and/or with other provisions of federal law;
- Failing to make satisfactory progress toward the goals or strategies in your application, as reflected by agency performance and status reports;
- Not adhering to grant agreement requirements or conditions;
- Proposing substantial plan changes to the extent that, if originally submitted, would have resulted in the application not being selected for funding;
- Not submitting reports in a timely manner;
- Filing falsified certifications in connection with an application, periodic reports or other documents to the COPS Office and/or to COPS Finance; and/or
- Providing other good cause for enforcement action.

In these instances, the COPS Office may:

- Temporarily withhold payments pending correction of the situation by your agency;
- Disallow all or part of the cost of the activity or action not in compliance;
- Wholly or partly suspend or terminate your grant;
- Require that some or all of the grant amounts be remitted to the U.S. Department of Justice;
- Condition a future grant or elect not to provide future grant funds to your agency until appropriate actions are taken to ensure compliance;
- Withhold awarding future grants;
- Recommend civil or criminal enforcement by other agencies; and
- Take other remedies that are legally available.

In the event that sanctions are imposed or a grant is terminated, your agency will be notified in writing of our decision and the reason(s) for that decision.

False statements or claims made in connection with COPS grants may result in fines, imprisonment, debarment from participating in federal grants or contracts, and/or any other remedies available by law to the federal government.



### Questions About Accepting the Grant

If for any reason you have questions about accepting this grant, please call your Grant Program Specialist or contact the U.S. Department of Justice Response Center at 800.421.6770. If you have decided not to accept this grant, please send us a letter as soon as possible, signed by the law enforcement or government executive, advising us of your decision to decline and return all original paperwork to the COPS Office.

### Modifications to your Grant

Your agency must seek and receive prior written approval if you plan to make the following grant changes:

- Major programmatic changes;
- Significant changes in your community policing plan;
- Major budget changes (for example, changes to the fringe benefits categories paid out under the grant);
- Any reduction of the federal funding awarded under the HSOP program based on changes in the overtime needs for your jurisdiction.

In order to make any of these changes, you will need to submit your plans in writing to the COPS Office for prior approval. Please include the nature of the modification, your reasons for the proposed changes, new budget detail worksheets (if applicable), and a new description of how the scope of your overtime project will change (if applicable). The material can be sent to your Grant Program Specialist.

### Extending Your Grant

Extensions do not affect the amount of the grant, only the end date of the grant. If extensions to complete grant requirements are necessary, they may be requested 90 days before the end of the grant period and will be considered on a case by case basis. The COPS Office may send information to you regarding the criteria and procedures for an extension before the end of the initial grant period.

Your agency's HSOP grant provides funding for 12 months of overtime costs. If such funding extends into your agency's next fiscal year, and your agency has also budgeted local funds for overtime, the grant funds may be used over more than one fiscal year to complete the 12-month grant period. However, COPS HSOP funds must continue to supplement (add to) and not supplant (replace) the grantee's locally-funded overtime budget and expenditures.





## II. Accessing Grant Funds

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This section provides information about how your department receives funds and gives answers to payment-related questions. If you are a new COPS grantee, you should receive a packet of financial documents shortly after we receive your signed Award Document. This packet will contain all of the information that you need to set up your payment method. You may call the U.S. Department of Justice Response Center at 800.421.6770 with any financial questions you may have.

### Payment Methods

For first-time grantees, there is currently only one method of payment available to you for accessing your grant federal funds—the Phone Activated Paperless Request System, or PAPRS. Existing grantees already using PAPRS for previously awarded grants must also use PAPRS for the HSOP program. Only existing grantees that are currently using LOCES for previously awarded COPS grants can elect to use LOCES for any new grants.

#### A. PAPRS—(Phone Activated Paperless Request System)

PAPRS enables grantees to use their touch-tone telephone to request funds. Requests for payment that are approved will be automatically scheduled for payment through the U.S. Treasury Department. The system also provides online information to grantees about the status of their requests.

If you do not have a touch-tone telephone, please contact the U.S. Department of Justice Response Center at 800.421.6770 for further instructions of the payment process.

#### How do we set up a PAPRS account?

If you are a new grantee to the COPS Office, you should receive a packet of financial documents shortly after we receive your signed Award Document. This packet will contain all of the information that you need to set up your payment method. You will receive a PAPRS user's manual under separate cover from the Office of the Comptroller, Accounting Division. Once you receive your OJP Vendor Number (which may or may not be the same as your taxpayer identification number) and PIN number, you can follow the directions in the user's manual to access your funds.



## B. LOCES—(Letter of Credit Electronic Certification System)

Only existing grantees who are currently using LOCES for previously awarded COPS grants can elect to use LOCES for any new grants.

LOCES is a communication system that allows recipients of COPS funds to electronically request payment from any of their grant funds, and receive direct deposit to their bank accounts within 48 hours. You will need a computer with a dedicated modem in order to use this system.

1. To make requests for payments through LOCES, you must have a personal computer operating DOS 3.1 or higher. We recommend at least a 28.8-baud modem.
2. Complete and return the LOCES Automation Survey Form. Upon receipt, your LOCES software will be customized for your use and forwarded to you.
3. Complete an ACH Vendor / Miscellaneous Payment Enrollment Form (SF-3881) and forward to your bank.

If you have any questions about LOCES, contact the U.S. Department of Justice Response Center at 800.421.6770.

## Setting Up Your Account

How do I fill out the payment enrollment forms?

In the packet of financial documents you received is an Automated Clearinghouse (ACH) Vendor / Miscellaneous Payment Enrollment Form (SF-3881). The ACH Vendor / Miscellaneous Payment Enrollment Form (SF-3881) must be completed regardless of the payment method. Prior to accessing your funds, you must mail the original form to:

Office of Justice Programs  
Office of the Comptroller  
810 7<sup>th</sup> Street, N.W.  
5<sup>th</sup> Floor  
Washington, D.C. 20531

The "Agency Information" section has been completed by COPS. Your agency needs to complete the "Payee / Company Information" section following the directions on the back of the form. You also need to provide the grant number (printed on the Award Document) on this form. Then you must have your financial institution complete the "Financial Institution Information" section and have the appropriate financial official sign the form.





If you are already a COPS grantee, you should already have completed an ACH Vendor / Miscellaneous Payment Enrollment Form (SF-3881). If you have any questions, please call the U.S. Department of Justice Response Center at 800.421.6770.

Do I need a Financial Status Report (SF-269A) to open my account?

After your agency returns the signed Award Document to the COPS Office, you are required to begin submitting quarterly Financial Status Reports (FSRs) using a Standard Form 269A (SF-269A). This report reflects the actual monies spent and unliquidated obligations incurred by your agency. *You will not be able to make drawdowns from your grant account if the SF-269A for the most recent reporting quarter ended is not on file with the COPS Office.*

For your first SF-269A submission, use the chart below to check to see when the most recent SF-269A reporting quarter ended and complete an SF-269A to cover the period from the award start date of your grant to that particular end date. *You are required to submit an SF-269A even if you have not spent any money or incurred any costs during a reporting period.*

| SF-269A Reporting Quarter End Date | Due Date               |
|------------------------------------|------------------------|
| 3/31/YY                            | No later than 5/15/YY  |
| 6/30/YY                            | No later than 8/15/YY  |
| 9/30/YY                            | No later than 11/15/YY |
| 12/31/YY                           | No later than 2/15/YY  |

Example:

Your award start date is 2/1/03 and your signed award was received and processed at COPS on 4/15/03. If the current date is 4/15/03, your first SF-269A would be due no later than 5/15/03 and would cover the period 2/1/03 (award start date) through 3/31/03 (most recent reporting quarter ended date). This SF-269A must be on file with the COPS Office so that you can successfully request a drawdown of funds through PAPRS (or LOCES as applicable).

For information as to how to complete and where to submit your quarterly FSRs, see Section VI of this Grant Owner's Manual entitled "Reports."



## Additional Payment Questions

Can we receive advances?

Yes. If you receive funds through electronic transfer, the period allowed is ten (10) days in advance. The concept of "minimum cash on hand" applies to COPS grants. The minimum cash on hand concept requires that you request funds based upon immediate cash disbursement needs. You should time your request for payment to ensure that federal cash on hand is the minimum that you need. There should be no excess federal grant funds on hand, except for approved advances discussed above.

The federal government has four basic rules regarding advances. Advances can be terminated if the grantee:

- Is unwilling or unable to attain project goals;
- Retains excessive cash on hand;
- Does not adhere to the terms and conditions of the grant; or
- Fails to submit reliable and timely reports.

How often do we request reimbursement of costs?

There is no set number of times you should request reimbursements. Only reimbursements for overtime expended can be made.

Can we earn interest on our grant funds?

You should minimize the time between your drawdown of grant funds and your payment of grant costs to avoid earning interest on grant funds. You need to account for interest earned on advances of federal funds as follows:

- You may keep interest earned on all advances of federal grant funds up to \$250 per fiscal year;
- You are required to annually pay back interest earned (over and above \$250 per fiscal year) on advances of federal grant funds to the U.S. Department of Health and Human Services, Payment Management Systems, Rockville, MD 20852.



### III. Meeting the Local Match

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#### Matching Funds

The COPS HSOP program provides up to 75 percent of allowable costs. COPS HSOP grantees are responsible for at least 25 percent of the total overtime project costs. Matching contributions may be applied at any time during the life of your grant provided that the full matching share is obligated by the end of the grant period. The local match must be a CASH match, made from local, state, or other non-COPS funds. Waivers of the local match are not available for grants awarded under this program.

What are some sources of matching funds?

Sources for local match requirements may include:

- Program income funds from asset forfeitures;
- Funds from state or local government that are committed to matching funds for your program;
- Funds from federal programs which specifically authorize use as matching funds such as the Housing and Community Development Act of 1974 or the Equitable Sharing Program; or
- Funds contributed by private sources.

Matching funds may not be taken from funds otherwise budgeted for law enforcement purposes. In other words, your local match may not be paid through any reallocation of already budgeted law enforcement funds.

Should I maintain records of the match?

You must maintain records of your local share. These records should clearly show the source of the match, the amount of the match, and when the match was contributed.



## IV. Financial Record Maintenance

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Under your COPS HSOP grant, you are required to establish and maintain accounting systems and financial records to accurately account for funds awarded and disbursed. These records must include both federal funds and all matching funds from state, local and private organizations.

### Accounting Systems

What accounting systems are needed?

You must establish and maintain accounting systems and financial records to accurately account for funds awarded to your agency. These records must include federal funds and matching funds of state, local, and private organizations.

Your accounting system should:

- Present and itemize approved costs for overtime expenditures;
- Assure responsible use of grant funds;
- Assure that all expenditures of funds comply with your grant conditions; and
- Provide the necessary information for periodic financial review and audit.

What records must be kept?

Your fiscal control and accounting systems should enable you to make accurate, current and complete disclosure of the financial activity under your COPS HSOP grant. Your accounting records should contain information of expenditures under the grant, and must be supported by items such as payrolls, time and attendance records, or similar documents.

You must adequately safeguard grant funds and make sure that they are used only for authorized purposes. You will be responsible for refunding expenditures disallowed by auditors.

How long must documents be kept?

All financial records, including payrolls, time and attendance records, and similar documents associated with your COPS HSOP grant must be kept for at least three years from the date the COPS Office officially closes the grant. If any litigation, claim, negotiation, audit or



other action involving these records has been started before the end of the three-year period, the records should be kept until completion of the action. These records must be easily located and properly protected against fire or other damage.

You should maintain your records so that you can identify them by grant year or by your fiscal year, whichever you find more convenient.

What if we have more than one grant?

If you have more than one federal grant, funds received under one project may not be used to support another project without specific written authorization from the awarding agency. [COPS HSOP funds may not be used as matching funds for other federal grant programs.] Your accounting systems and financial records must reflect expenditures for each project separately.

Who may access our records?

Authorized federal representatives, including representatives of the U.S. Department of Justice and the Comptroller General of the United States, may access these records as long as they exist for the purposes of conducting audits and examinations or obtaining excerpts or transcripts.

## **V. Federal Audit Requirements**

### **Audit Requirements**

In addition to oversight, guidance, and counsel provided by the COPS Office, your grant may be subject to an audit by independent examiners. The two primary types of audits are Single Audit Act (SAA) audits and Department of Justice (DOJ), Office of the Inspector General (OIG) audits.

What are the regulations governing SAA requirements?

The Single Audit Act was created in 1984 and established uniform guidelines for state and local governments receiving federal financial assistance. The 1984 Act was amended in July 1996 to reflect revised audit criteria and reporting requirements. The Office of Management and Budget Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations provides additional guidelines regarding the implementation of SAA requirements.

Who must have an SAA audit?

Each non-federal entity that expends a total amount of federal awards equal to or in excess of \$300,000, in a fiscal year, is required to have an SAA audit for that fiscal year. SAA audits are conducted annually unless a state or local government is required by constitution or statute, in effect on January 1, 1987, to undergo audits less frequently than annually. The primary objective of an SAA audit is to express opinions on the grantee's financial statements, internal controls, major and non-major grant programs, and compliance with government laws and regulations. Single audits may also address specific compliance issues with respect to COPS grant requirements.

What is the role of the Office of the Inspector General?

The OIG is a separate component of the Department of Justice and is independent of the COPS Office. The primary objective of OIG audits is to assess compliance with grant conditions. OIG audits are designed to promote economy, efficiency, and effectiveness in the administration of grants by evaluating compliance with laws, regulations, and policies/procedures governing the operations encompassed in the scope of the audit.



On what basis are COPS grants selected for an OIG audit?

Occasionally, the OIG conducts a COPS grant audit in response to a referral that the OIG believes warrants further evaluation. The OIG also surveys DOJ agencies on an annual basis to solicit input on suggested audit areas for the upcoming fiscal year. In most instances, however, the OIG selects grants taking into consideration many factors including, but not limited to, geographical distribution of grants awarded, award amount, population served, and type of grant. As such, the fact that your grant has been selected for an OIG audit is not necessarily indicative of a suspected concern or problem area; but, instead, is typically part of the overall selection process.

The COPS Audit Division serves as the liaison between grantees and auditors in the conduct of OIG audits. The U.S. Department of Justice, Office of Justice Programs (OJP) serves as the liaison between grantees and auditors in the conduct of SAA audits. Questions and comments regarding OIG audits and SAA audits may be directed to the Department of Justice Response Center at 800.421.6770. Questions and comments regarding the administration of your grant(s), not specifically related to an audit, should be referred to your Grant Program Specialist.



## **VI. Reports**

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Periodically, you will be asked to respond to three types of reports: 1) program progress reports; 2) quarterly Financial Status Reports; and 3) telephone calls regarding grant status. In addition, a baseline accounting of current community policing activities will be expected. Funds and future awards may be withheld or terminated if reports are not returned or are excessively late.

### **Program Progress Reports**

How often will progress reports be requested?

Program progress reports may be requested at least once during the grant period.

What kind of information will be requested?

These reports will request information about the increased community policing efforts that have resulted from funding under COPS HSOP.

How and when will these forms be sent?

These reports and instructions will be mailed to you during the course of your grant period, as deemed necessary by the COPS Office. You may also receive periodic phone calls from your Grant Program Specialist regarding the status of reporting on your grant. In addition, a COPS representative may also make a site visit to your agency during the grant period.

### **Financial Status Reports**

How will grant funds be monitored?

COPS Finance monitors the financial aspects of your grant through financial reports, meetings, telephone contacts, audits, reviews of grant change requests and special request submissions. In specific cases, information may be requested during an on-site visit by the COPS Office or a designated representative from the Office of the Comptroller, Office of Justice Programs.



### How do I file Financial Status Reports?

Your agency is required to submit quarterly Financial Status Reports (FSRs) using a Standard Form 269A (SF-269A). This report reflects the actual federal monies spent and unliquidated obligations incurred, local matching contributions, and the unobligated balance of federal funds. The FSR is due at the COPS Office no later than 45 days following each calendar quarter. A chart showing the reporting quarter end dates and due dates is provided in the section of this manual entitled "Setting Up Your Account." A Helpful Hints Guide for Completing FSRs is available at the COPS website ([www.cops.usdoj.gov](http://www.cops.usdoj.gov)) or by calling the U.S. Department of Justice Response Center at 800.421.6770.

A blank copy of an SF-269A is included in your award package. Please make copies of the SF-269A form (both sides) and retain these forms for future use. Fax completed forms to:

COPS Finance Control Desk: 202.616.9004  
Alternative Fax: 202.514.2852

Or mail to:

U.S. Department of Justice  
Office of Community Oriented Policing Services  
Attention: COPS Finance Control Desk  
1100 Vermont Ave., N.W.  
6<sup>th</sup> Floor  
Washington, D.C. 20530

### Telephone Calls Regarding Grant Status

How often will calls be made?

The COPS Office may contact your agency periodically to determine your grant progress and enhancements to community policing efforts to date.

What will be asked during the telephone contact?

The COPS Office will ask for the overtime hours used, timeline for continued implementation, and information regarding enhanced community policing activities.

## **Contact Points to Obtain Technical Assistance and Report Non-Compliance**

Any alleged violations, irregularities or acts that may result in the use of public funds in a manner that is inconsistent with the Public Safety Partnership and Community Policing Act of 1994 or the purposes of this grant must be reported to the U.S. Department of Justice. Furthermore, the COPS Office welcomes the opportunity to provide assistance regarding the implementation of grant provisions to help ensure that federal grant funds are spent responsibly. As such, the following contacts are provided to address non-compliance and technical assistance issues:

- If you suspect violations of a criminal nature, please contact the Office of the Inspector General's Hotline at 800.869.4499.
- If you suspect non-compliance (not criminal in nature) as it relates to the grant conditions listed in this manual, please contact the COPS Office Grant Monitoring Division at 202.514.9202.
- If you have any questions and/or need assistance regarding your grant, please contact your COPS Grant Program Specialist at 800.421.6770.





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## **VII. When the Grant Period Has Ended**

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### **Grant "Close Out"**

The COPS Office is responsible for the official "close out" of your grant. To fulfill this requirement, we must determine that your agency, as well as the COPS Office, has completed all of the work required by the grant. Final closeout packages will be mailed to your department for completion after the grant has expired.

### **Final Financial Status Report**

The final Financial Status Report for your grant is due to the COPS Office no later than 90 days after the end of the grant period. This final report should reflect the total amount of federal expenditures, the total amount of matching contributions, and the amount of unobligated funds, if any. Any unspent funds must be returned to the COPS Office and will be de-obligated from the award amount.

When should all of the grant monies be spent?

Grant funds must be obligated before the end of the grant period. The grantee has up to 90 days after the end of the grant period to request reimbursement for the funds they have obligated.

### **Final Progress Report**

Following the end of your grant award period, the COPS Office will ask you to submit a final program progress report. The final progress report including instructions will be mailed to you. The report will request information similar to previous program progress reports.



## VIII. Conclusion

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We hope that this manual has assisted you with your grant questions. We welcome and encourage any comments you have regarding COPS HSOP and the materials that the COPS Office has developed for its administration. If you have specific comments regarding this manual, please send them to:

COPS HSOP–GRANT OWNER'S MANUAL  
1100 Vermont Avenue, N.W.  
7<sup>th</sup> Floor  
Washington, D.C. 20530  
(For overnight delivery, please use 20005 as the zip code.)

We will review these comments and make revisions as appropriate. If you have any question about your grant, please call the U.S. Department of Justice Response Center at 800.421.6770 or your Grant Program Specialist.





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## IX. Glossary of Terms

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### **Allowable Costs**

Allowable costs are costs that will be paid for by this grant program. COPS HSOP provides for the funding of additional overtime costs for non-supervisory sworn personnel associated with the performance of community policing activities that address homeland security concerns. Upon review of your submitted budget, any unallowable costs were removed and your total budget amount was revised accordingly. A copy of the Financial Clearance Memorandum from COPS Finance identifying your allowable costs is included in your award package. COPS HSOP funds can only be used for the allowable costs reflected in the Financial Clearance Memorandum.

### **Authorized Officials**

The authorized officials are the individuals in your organization who have final authority and responsibility for all programmatic and financial decisions regarding this grant award. At the time of application, your agency listed the law enforcement executive (usually Chief of Police, Sheriff, etc.) and the government executive (usually Mayor, President of Council, etc.) for your agency. These executives are listed on your Award Document and are understood to be your authorized officials; if any of the executive information is incorrect, please promptly submit the correct information to the COPS Office in writing.

### **Award Start Date**

This is the date on or after which your agency is authorized to expend overtime funds provided by the COPS HSOP grant. This date is found on your original Award Document. Grantees may not expend HSOP funds for overtime incurred prior to this date.

### **Catalog of Federal Domestic Assistance (CFDA)**

The CFDA is a government-wide publication coordinated by the General Services Administration (GSA). The CFDA contains a description and index of all forms of federal assistance available from the federal government. Each program is assigned a CFDA number, which is used by auditors in tracking grant revenues under the Single Audit Act. It is also used in participating states by the Single Points of Contact for intergovernmental reviews under Executive Order 12372. The CFDA number for COPS HSOP is 16.710.



### **Cognizant Federal Agency**

Your Cognizant Federal Agency (CFA) is generally the federal agency that provides your state or local government, of which your law enforcement agency is a part, with the most federal money and is the agency to which you submit your Single Audit Act reports. Your CFA may have already been assigned to you by the Office of Management and Budget (OMB). If this is the first federal grant that your organization has received, the U.S. Department of Justice (DOJ) is your Cognizant Federal Agency.

### **COPS Office**

The Office of Community Oriented Policing Services (COPS) is the division of the U.S. Department of Justice that is your grantor agency for your COPS HSOP grant. The COPS Office is responsible for administering your grant for the entire grant period. You can reach the COPS Office at 800.421.6770.

### **COPS Finance Staff Accountants**

COPS Finance Staff Accountants handle your financial and budgetary needs related to the COPS HSOP grant. There is a Staff Accountant assigned to your state who is available to answer any questions that you may have concerning the financial aspects of your COPS HSOP grant. To identify your Staff Accountant, refer to the COPS website at [www.cops.usdoj.gov](http://www.cops.usdoj.gov) or call the U.S. Department of Justice Response Center at 800.421.6770.

### **Grant Number**

Your grant award number is in the following format: 2003-OMWX-0000 or 2003-OLWX-0000 for grants awarded in FY 2003, 2004-OMWX-0000 or 2004-OLWX-0000 for grants awarded in FY 2004, etc. This number can be found under the Applicant Organization's Legal Name of your Award Document. It is assigned by COPS Finance, and should be used when corresponding with that department. This will aid the accounting staff in determining which grant you are referring to.

### **Matching Funds**

Under COPS HSOP, the COPS Office provides up to 75 percent of the overtime costs associated with addressing homeland security issues. COPS HSOP grantees are responsible for a local cash match of at least 25 percent of the total overtime project costs. The source of your agency's local match cannot be from any funds previously budgeted for law enforcement purposes. See "Meeting the Local Match," Section III of this manual for more information.

**Obligation of Funds**

The COPS Office "obligates" federal funds when the grant Award Document is signed by the COPS Director or his/her designated official. Funds are reserved against the grant and made available to a grantee for drawdown to cover allowable costs incurred during the period of the grant.

For the grantee, grant funds are "obligated" when monies are spent or approved overtime expenses are incurred under the HSOP program after the award start date. The term "encumbrance" is often times used at the local and state levels to describe this type of transaction. Liquidated obligations are considered cash outlays or monies actually spent. Unliquidated obligations are obligations incurred but not yet paid (cash basis of accounting) or not yet recorded (accrual basis of accounting).

**OJP EIN Number / Vendor Number**

This number is your agency's nine-digit federal tax identification number assigned to you by the IRS. Your accounting/bookkeeping department should have this number. In some cases, the EIN has been previously assigned to another agency within your jurisdiction. In this instance, a new vendor number will be assigned to your department by the COPS Office. The new assigned number is to be used for administrative purposes only and should not be used for IRS purposes.

**ORI Number (Originating Agency Identifier)**

This number is your agency's identifier and is assigned by the Federal Bureau of Investigation (FBI). The first two letters are your state abbreviation, the next three numbers represent your county code, and the final two numbers identify your jurisdiction within the county. The ORI number can be located in the center under the grant number on your grant Award Document. When you contact the COPS Office with a question, you can provide the ORI number or your grant number and we will be able to assist you.



### **The Public Safety Partnership and Community Policing Act of 1994**

The COPS Office is charged with fulfilling the mandates of this law. The purpose of the law is to, among other things:

- Substantially increase the number of law enforcement officers interacting with members of the community;
- Provide additional and more effective training to law enforcement officers to enhance their problem solving, service, and other skills needed in interacting with members of the community;
- Encourage the development and implementation of innovative programs to permit members of the community to assist law enforcement agencies in the prevention of crime; and
- Encourage the development of new technologies to assist law enforcement agencies in reorienting the emphasis of their activities from reacting to crime to preventing crime.

### **Supplanting**

For the purpose of your COPS HSOP grant, supplanting means replacing state, local or Bureau of Indian Affairs funds which otherwise would have been spent on overtime expenses with federal COPS funds. Your department is prohibited from supplanting throughout the grant period. This means that you may not use COPS funds to pay for any overtime expenses that otherwise would have been paid for with state, local or Bureau of Indian Affairs funds regardless of the COPS program. COPS funds must instead be used to supplement your law enforcement budget for overtime expenses.



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## **X. Appendices**

### **Appendix A - List of Source Documents**

#### Primary Sources:

42 U.S.C. Parts 3796dd-dd8, Public Safety and Community Policing;  
"Cops on the Beat"

28 C.F.R. Part 66, Uniform Administrative Requirements for Grants  
and Cooperative Agreements to State and Local Governments

28 C.F.R. Part 70, Uniform Administrative Requirements for Grants  
and Agreements (Including Subawards) with Institutions of Higher  
Education, Hospitals and Other Non-Profit Organizations

28 C.F.R. Part 67, Governmentwide Debarment and Suspension  
(Nonprocurement) and Governmentwide Requirements for Drug-Free  
Workplace (Grants)

28 C.F.R. Part 69, New Restrictions on Lobbying

31 C.F.R. Part 205, Rules and Procedures for Efficient Federal-State  
Funds Transfers

OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal  
Governments

OMB Circular A-21, Cost Principles for Educational Institutions

OMB Circular A-122, Cost Principles for Non-Profit Organizations

OMB Circular A-133, Audits of States, Local Governments, and Non-  
Profit Organizations

Assurances and Certifications for COPS HSOP (Included)

Executive Order No. 12,549, 51 Fed. Reg. 6370; Debarment and  
Suspension

Executive Order No. 12,372, 28 C.F.R. Part 30; Intergovernmental  
Review of Federal Programs

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OMB Circular A-129, Policies for Federal Credit Programs and Non-Tax Receivables

31 C.F.R., Subtitle B, Chapter IX, Federal Claims Collection Standards

5 C.F.R. Part 1320, Controlling Paperwork Burdens on the Public

Executive Order No. 12,291, 46 Fed. Reg. 13,193; Federal Regulation

5 C.F.R. Part 151, Political Activity of State or Local Officers or Employees

## Appendix B—Assurances

Several provisions of federal law and policy apply to all grant programs. We (the Office of Community Oriented Policing Services) need to secure your assurance that the applicant will comply with these provisions. If you would like further information about any of these assurances, please contact your state's COPS Grant Program Specialist at (800) 421-6770.

By the applicant's authorized representative's signature, the applicant assures that it will comply with all legal and administrative requirements that govern the applicant for acceptance and use of federal grant funds. In particular, the applicant assures us that:

1. It has been legally and officially authorized by the appropriate governing body (for example, mayor or city council) to apply for this grant and that the persons signing the application and these assurances on its behalf are authorized to do so and to act on its behalf with respect to any issues that may arise during processing of this application.
2. It will comply with the provisions of federal law which limit certain political activities of grantee employees whose principal employment is in connection with an activity financed in whole or in part with this grant. These restrictions are set forth in 5 U.S.C. § 1501, et seq.
3. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, if applicable.
4. It will establish safeguards, if it has not done so already, to prohibit employees from using their positions for a purpose that is, or gives the appearance of being, motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business or other ties.
5. It will give the Department of Justice or the Comptroller General access to and the right to examine records and documents related to the grant.
6. It will comply with all requirements imposed by the Department of Justice as a condition or administrative requirement of the grant, including but not limited to: the requirements of OMB Circulars A-87, A-21, A-122, or the Federal Acquisition Regulations, as applicable (governing cost principles); OMB Circulars A-102 or A-110, as applicable (Uniform Administrative Requirements for Grants and Cooperative Agreements); OMB Circular A-133 (governing audits); the applicable provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; the current edition of the COPS Grant Monitoring Standards and Guidelines; and with all other applicable program requirements, laws, orders, regulations, or circulars.
7. If applicable, it will, to the extent practicable and consistent with applicable law, seek, recruit and hire qualified members of racial and ethnic minority groups and qualified women in order to further effective law enforcement by increasing their ranks within the sworn positions in the agency.
8. It will not, on the ground of race, color, religion, national origin, gender, disability or age, unlawfully exclude any person from participation in, deny the benefits of or employment to any person, or subject any person to discrimination in connection with any programs or activities funded in whole or in part with federal funds. These civil rights requirements are found in the non-discrimination provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. § 3789(d)); Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d); the Indian Civil Rights Act (25 U.S.C. §§ 1301-1303); Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794); Title II, Subtitle A of the Americans with Disabilities Act (ADA) (42 U.S.C. § 12101, et seq.); the Age Discrimination Act of 1975 (42 U.S.C. § 6101, et seq.); and Department of Justice Non-Discrimination Regulations contained in Title 28, Parts 35 and 42 (subparts C, D, E and G) of the Code of Federal Regulations.
- A. In the event that any court or administrative agency makes a finding of discrimination on grounds of race, color, religion, national origin, gender, disability or age against the applicant after a due process hearing, it agrees to forward a copy of the finding to the Office of Civil Rights, Office of Justice Programs, 810 7th Street, NW, Washington, D.C. 20531.
- B. Grantees that have 50 or more employees and grants over \$500,000 (or over \$1,000,000 in grants over an eighteen-month period), must submit an acceptable Equal Employment Opportunity Plan ("EEOP") or EEOP short form (if grantee is required to submit an EEOP under 28 CFR 42.302), that is approved by the Office of Justice Programs, Office for Civil Rights within 60 days of the award start date. For grants under \$500,000, but over \$25,000, or for grantees with fewer than 50 employees, the grantee must submit an EEOP Certification. (Grantees of less than \$25,000 are not subject to the EEOP requirement.)
9. Pursuant to Department of Justice guidelines (June 18, 2002 Federal Register (Volume 67, Number 117, pages 41455-41472)), under Title VI of the Civil Rights Act of 1964, it will ensure meaningful access to its programs and activities by persons with limited English proficiency.
10. It will ensure that any facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify us if advised by the EPA that a facility to be used in this grant is under consideration for such listing by the EPA.
11. If the applicant's state has established a review and comment procedure under Executive Order 12372 and has selected this program for review, it has made this application available for review by the state Single Point of Contact.



12. Pursuant to Executive Order 13043, it will enforce on-the-job seat belt policies and programs for employees when operating agency-owned, rented or personally-owned vehicles.

13. It will not use COPS funds to supplant (replace) state, local, or Bureau of Indian Affairs funds that otherwise would be made available for the purposes of this grant, as applicable.

14. If the awarded grant contains a retention requirement, it will retain the increased officer staffing level and/or the increased officer redeployment level, as applicable, with state or local funds for a minimum of one full local budget cycle following expiration of the grant period.

False statements or claims made in connection with COPS grants (including cooperative agreements) may result in fines, imprisonment, disbarment from participating in federal grants or contracts, and/or any other remedy available by law.

I certify that the assurances provided are true and accurate to the best of my knowledge.

Elections or other selections of new officials will not relieve the grantee entity of its obligations under this grant.

\_\_\_\_\_  
Signature of Law Enforcement Executive (or Official with Programmatic Authority, as applicable)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Government Executive (or Official with Financial Authority, as applicable)

\_\_\_\_\_  
Date





## Certifications

### Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements Coordination with Affected Agencies.

Although the Department of Justice has made every effort to simplify the application process, other provisions of federal law require us to seek your agency's certification regarding certain matters. Applicants should read the regulations cited below and the instructions for certification included in the regulations to understand the requirements and whether they apply to a particular applicant. Signing this form complies with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)," and the coordination requirements of the Public Safety Partnership and Community Policing Act of 1994. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered grant.

#### 1. Lobbying

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

A. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the making of any federal grant; the entering into of any cooperative agreement; and the extension, continuation, renewal, amendment or modification of any federal grant or cooperative agreement;

B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

C. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

#### 2. Debarment, Suspension and Other Responsibility Matters (Direct Recipient)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510 -

A. The applicant certifies that it and its principals:

(i) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department or agency;

(ii) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(iii) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (A)(ii) of this certification; and

(iv) Have not within a three-year period preceding this application had one or more public transactions (federal, state or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

#### 3. Drug-Free Workplace (Grantees Other Than Individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67, Sections 67.615 and 67.620 -

A. The applicant certifies that it will, or will continue to, provide a drug-free workplace by:

(i) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(ii) Establishing an on-going drug-free awareness program to inform employees about -

(a) The dangers of drug abuse in the workplace;

(b) The grantee's policy of maintaining a drug-free workplace;



- (c) Any available drug counseling, rehabilitation and employee assistance programs; and
- (d) The penalties that may be imposed upon employees for drug-abuse violations occurring in the workplace;
- (iii) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (i);
- (iv) Notifying the employee in the statement required by paragraph (i) that, as a condition of employment under the grant, the employee will -
  - (a) Abide by the terms of the statement; and
  - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
  - (v) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (iv)(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: COPS Office, 1100 Vermont Ave., NW, Washington, D.C. 20530. Notice shall include the identification number(s) of each affected grant.
  - (vi) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (iv)(b), with respect to any employee who is so convicted -
    - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

- (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency;
- (vii) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (i), (ii), (iii), (iv), (v) and (vi).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of performance (street address, city, county, state, zip code)

\_\_\_\_\_

Check ☐ if there are workplaces on file that are not identified here.

Section 67.630 of the regulations provides that a grantee that is a state may elect to make one certification in each federal fiscal year, a copy of which should be included with each application for Department of Justice funding. States and state agencies may elect to use OJP Form 4061/7.

Check ☐ if the state has elected to complete OJP Form 4061/7.

#### 4. Coordination

The Public Safety Partnership and Community Policing Act of 1994 requires applicants to certify that there has been appropriate coordination with all agencies that may be affected by the applicant's grant proposal if approved. Affected agencies may include, among others, the Office of the United States Attorney, state or local prosecutors, or correctional agencies. The applicant certifies that there has been appropriate coordination with all affected agencies.

Grantee Agency Name and Address: \_\_\_\_\_

\_\_\_\_\_ Grantee IRS/ Vendor Number: \_\_\_\_\_

False statements or claims made in connection with COPS grants (including cooperative agreements) may result in fines, imprisonment, disbarment from participating in federal grants or contracts, and/or any other remedy available by law.

I certify that the assurances provided are true and accurate to the best of my knowledge.

Elections or other selections of new officials will not relieve the grantee entity of its obligations under this grant.

Typed Name and Title of Law Enforcement Executive (or Official with Programmatic Authority, as applicable):

\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Typed Name and Title of Government Executive (or Official with Financial Authority, as applicable):

\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



FOR MORE INFORMATION:

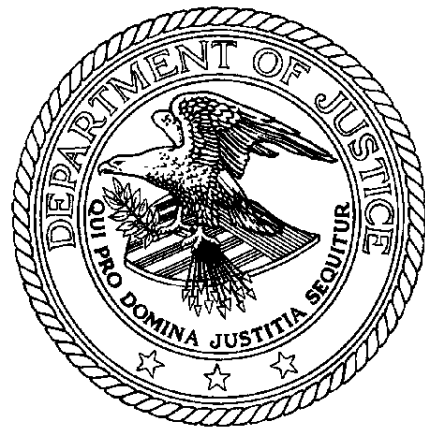
U.S. Department of Justice  
Office of Community Oriented Policing Services  
1100 Vermont Avenue, N.W.  
Washington, D.C. 20530

To obtain details on the COPS program, call the  
U.S. Department of Justice Response Center at 800.421.6770

Visit COPS Online at the address listed below.

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[www.cops.usdoj.gov](http://www.cops.usdoj.gov)

